

REMARKS

Preliminary Remarks

This response is timely filed as the deadline for taking action (no-fee) expires today, June 11, 2003.

Claims 17, 18, and 20-23 were the subject of various objections. By the foregoing amendment to the claims, the various objections have been overcome. Therefore, the applicants respectfully request the withdrawal of these objections to the claims.

The examiner objected to claim 21 under 37 C.F.R. 1.75, as allegedly being substantially duplicative of claim 20. By the foregoing amendment, the applicants have canceled claim 21, thereby rendering the objection moot. The applicants respectfully request the withdrawal of the objection based upon 37 C.F.R. §1.75.

Patentability Remarks

The examiner rejected claims 17, 18 and 24-26 under 35 U.S.C. §112, second paragraph for the reason that the amino acid sequences of SEQ ID NOS: 1 and 2 are allegedly the same. The examiner also rejected claims 19 and 22 for the reason that nucleotides 2471-3550 of SEQ ID NO: 1 and nucleotides 1-1080 of SEQ ID NO: 3 are allegedly identical.


For the purposes of expediting prosecution, the applicants have amended the claims to refer to SEQ ID NO: 2 or SEQ ID NO: 1. Therefore, the applicants submit that this rejection is now moot and respectfully request that these rejections be withdrawn.

CONCLUSION

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the examiner feels may be best resolved through a personal or telephone interview, the examiner is strongly urged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Thomas A. Cawley, Jr., Ph.D.

Reg. No.: 40,944

Tel. No.: (703) 905-2144

Fax No.: (703) 905-2500

TAC\amx
P.O. Box 10500
McLean, VA 22102
Telephone: 703-905-2000
Facsimile: 703-905-2500